

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

NATIONAL RELIGIOUS BROADCASTERS, *et al.*,

Plaintiffs,

v.

BILLY LONG, *et al.*,

Defendants.

Civil Action No. 6:24-cv-00311

**DECLARATION OF ROB BOSTON IN SUPPORT OF
AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE'S MOTION TO
INTERVENE AS DEFENDANT OR, IN THE ALTERNATIVE, FOR LEAVE TO FILE AS
AMICUS CURIAE**

I, Rob Boston, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am Senior Adviser at Americans United for Separation of Church and State and have worked at the organization since 1987. I am also the chief writer for Americans United's "Wall of Separation" blog and former editor of AU's monthly magazine *Church & State*.

2. I make this statement based on my personal knowledge, gained through my work at Americans United and through my knowledge of the organization's history and strategies.

3. Americans United is a tax-exempt 501(c)(3) organization under the Internal Revenue Code. As part of maintaining this status, Americans United complies with the relevant provisions of 501(c)(3), including the prohibition on participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office ("Johnson Amendment").

4. Americans United is a national, nonsectarian public-interest organization committed to preserving the constitutional principle of religious freedom. Representing more than 125,000 members and supporters nationwide, Americans United works to protect the rights of individuals to worship as they see fit, and to preserve the separation of church and state as a vital

component of democratic governance. Americans United supports and advocates for the equal treatment of religious and nonreligious organizations by the government, and this extends to nonprofits like ourselves.

5. Americans United has a long history of advocating for nonprofit nonpartisanship, including through enforcement of the Johnson Amendment. We support nonpartisan enforcement of the Johnson Amendment as a constitutional and necessary tenet for maintaining the separation of church and state. See <https://perma.cc/Q2NP-M3D9> (in which we describe how the Johnson Amendment prevents people from using churches as a loophole in campaign finance laws).

6. For example, in 1988, Americans United wrote to the Internal Revenue Service with concerns about church participation in Jesse Jackson 1988 presidential campaign, in which the campaign successfully urged congregations to raise and donate money during services.

7. Similarly, in 1992, Americans United reported a church that paid for newspaper advertisements opposing Bill Clinton's election. The church ultimately lost its tax-exempt status.

8. As recently as 2022, Americans United urged the IRS to respond to the pastor at the Global Vision Bible Church who declared that Democratic voters would be expelled from the church and told congregants that they cannot be "a Democrat and a Christian."

9. I understand that Parties in this case propose that the Johnson Amendment should not be enforced against two 501(c)(3) churches, who are Plaintiffs in above-captioned case, Sand Springs Church and First Baptist Church Waskom.

10. In addition, I understand that Defendants do not intend to respond to Plaintiffs' motion for summary judgment or to defend the lawfulness of the Johnson Amendment in court.

11. Americans United, as a 501(c)(3) organization, has an interest in receiving treatment equal to that of other 501(c)(3) organizations.

12. The consent decree proposed by the Parties would allow a carveout in which religious organizations are treated more favorably than similar secular organizations, including Americans United. We are also concerned that the carveout will increase the likelihood that other churches engage in political activities such as campaigning.

13. Americans United seeks to intervene to prevent impermissible favoring of religious organizations, defend the lawfulness of the Johnson Amendment, and ensure that all nonprofit organizations continue to be treated equally under the law.

14. I hereby declare under penalty of perjury that the foregoing is true and correct.
Executed on July 10, 2025.

A handwritten signature in black ink that reads "Rob Boston". The signature is written in a cursive, slightly stylized font. The "R" is large and loops around the "o". The "B" is also large and loops around the "o". The "s" and "t" are connected, and the "on" is written in a simple, quick stroke.

Rob Boston